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NOT TO BE PUBLISHED IN OFFICIAL REPORTS

IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

FIRST APPELLATE DISTRICT

DIVISION ONE

N.H., Petitioner, v. THE SUPERIOR COURT OF SOLANO COUNTY, Respondent; SOLANO COUNTY HEALTH AND SOCIAL SERVICES DEPARTMENT, Real Party in Interest.	A138010 (Solano County Super. Ct. No. J40267)

MEMORANDUM OPINION[1]

R., a child fathered by appellant N.H. (Father), is one of two siblings who were the subject of a July 2010 dependency petition, alleging neglect due to their mother's drug abuse. (Welf. & Inst. Code,[2] § 300, subds. (b) & (g).) R. was found to be a dependent of the court, and her mother's parental rights were terminated by order of April 22, 2011. Father's whereabouts were initially unknown, but in August 2011, he was located overseas by the Solano County Health and Social Services Department (Agency) and

[1] We resolve this case by a memorandum opinion pursuant to California Standards of Judicial Administration, section 8.1(3) (a "memorandum or other abbreviated form of opinion" is appropriate when an appeal "rais[es] factual issues that are determined by the substantial evidence rule").

[2] All statutory references are to the Welfare and Institutions Code.

granted six months of reunification services by the court. After a status hearing at which Father was present and testified, the juvenile court issued a detailed written order finding the services provided to Father were reasonable, denying him additional services, concluding R.'s return to Father would be detrimental to her, and scheduling a permanency planning hearing pursuant to section 366.26.

On April 8, 2013, Father filed a petition for an extraordinary writ in this court seeking an order directing the juvenile court to vacate its order and restore reunification services. Father contends the juvenile court abused its discretion in finding he was provided reasonable reunification services and in terminating those services after six months. The factual circumstances underlying Father's claims of error are known to the parties and are summarized in Father's "Points and Authorities in Support of Petition for Writ and Stay of Proceedings."

The law governing the provision of reunification services was summarized in *Tracy J. v. Superior Court* (2012) 202 Cal.App.4th 1415: "Family reunification services play a critical role in dependency proceedings. [Citations.] Reunification services should be tailored to the particular needs of the family. . . . **[¶]** The 'adequacy of reunification plans and the reasonableness of the [Agency's] efforts are judged according to the circumstances of each case.' [Citation.] To support a finding reasonable services were offered or provided, 'the record should show that the supervising agency identified the problems leading to the loss of custody, offered services designed to remedy those problems, maintained *reasonable* contact with the parents during the course of the service plan, and made *reasonable* efforts to assist the parents in areas where compliance proved difficult . . . .' [Citation.] 'The standard is not whether the services provided were the best that might be provided in an ideal world, but whether the services were reasonable under the circumstances.' " (*Id.* at pp. 1425–1426.) We review the juvenile court's finding of reasonableness under the substantial evidence test. (*Amanda H. v. Superior Court* (2008) 166 Cal.App.4th 1340, 1346.)

We find substantial evidence to support the trial court's conclusion that, under the unusual and difficult circumstances presented here, the services provided by the Agency

were reasonable. As the Agency determined, the primary barrier to reunification was the lack of any personal relationship between R. and Father, a foreign national who resides in the Republic of Palau, had never met R. prior to being contacted by the Agency, and lacked a visa permitting his travel to the United States. Before Father had even requested reunification services, the Agency arranged for regular visitation by telephone and, later, Skype. (*In re T.G.* (2010) 188 Cal.App.4th 687, 696–697 [" 'Visitation is a critical component, probably the most critical component, of a reunification plan.' "].) After the grant of services, the Agency labored to determine the availability of services in Palau, finding none. The Agency then sent Father a "parenting packet" as a form of self-education, directed him to prepare a scrapbook for R. and send her cards and letters to acquaint her with life in Palau, located a Palauan government social worker to provide Father parenting instruction, and directed him to obtain a visa to travel here. This level of services is consistent with those suggested for a deported parent under section 361.5, subdivisions (e)(1)(A)–(E), an analogous circumstance in light of Father's inability to travel to the United States during the services period.

In arguing services were inadequate, Father does not suggest any services that could have been, but were not provided. Instead, he argues the Agency should have maintained more frequent contact with him and the social worker to increase the effectiveness of the services. Father's own responsiveness to the Agency, however, was variable, and his cooperation was spotty. He performed almost none of the tasks asked of him and was less than forthcoming in his communications. While the Agency might have been more attentive, its conduct was a reasonable response to Father's limited commitment to its efforts. (See *In re K.C.* (2012) 212 Cal.App.4th 323, 330 [reasonableness of services depends in part on a parent's willingness to cooperate].)

Father also contends his services should not have been terminated after six months because he substantially complied with his case plan. With respect to a ward who is under three years old at the time of detention, as R. was, the ordinary period for parental reunification services is six months. (§ 361.5, subd. (a)(1)(B); *In re Aryanna C.* (2005) 132 Cal.App.4th 1234, 1242.) A longer period of services can be granted only if there is

a "substantial probability" the child will be returned to the parent's custody. (§ 361.5, subd. (a)(3); see *In re Jesse W.* (2007) 157 Cal.App.4th 49, 64 [services can be terminated after six months if parent unlikely to reunify].) We find substantial evidence to support the trial court's implicit finding of a low probability of a grant of custody to Father, given his difficulty in forming a personal relationship with R. and his lack of sensitivity to her individual circumstances and needs.

We do not understand Father's petition to challenge the juvenile court's finding that return of the minor to Father would be detrimental to R., but we would, in any event, find no abuse of discretion in that conclusion, given the importance of the bond between R. and her sister, Father's demonstrated lack of sensitivity for that bond, and the absence of any meaningful personal relationship between R. and Father.

Father's petition for an extraordinary writ is denied on the merits. (See *Kowis v. Howard* (1992) 3 Cal.4th 888, 894.) The decision is final in this court immediately. (Cal. Rules of Court, rules 8.452(i), 8.490(b)(3).)

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Margulies, Acting P.J.

We concur:

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Dondero, J.

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Banke, J.